

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

RICKY J. HAMBY, :  
 :  
 Plaintiff, :  
 :  
 v. : Civil Action No. 05-626-JJF  
 :  
 DOCTOR KASTRE, et al., :  
 :  
 Defendants. :

O R D E R

WHEREAS, Plaintiff filed a civil rights action pursuant to 42 U.S.C. § 1983 without prepayment of the filing fee;

WHEREAS, on October 4, 2005, this Court entered an order granting leave to proceed in forma pauperis and ordering Plaintiff to submit within thirty (30) days from the date the order was sent, a certified copy of his trust account statement (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint, or the case would be dismissed (D.I. 6);

WHEREAS, to date, the required document(s) have not been received from Plaintiff;

NOW THEREFORE, IT IS HEREBY ORDERED that Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE**. Plaintiff is not required to pay the \$250.00 filing fee.

11/10/05  
DATE

Joseph J. Dainoff  
UNITED STATES DISTRICT JUDGE